

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04 12699RWZ

**PETITION OF K& R FISHING
ENTERPRISES, INC., FOR
EXONERATION FROM OR
LIMITATION OF LIABILITY,
CIVIL AND MARITIME**

**CLAIM OF LUANN SULLIVAN, AS ADMINISTRATRIX OF THE
ESTATE OF GLEN E. CROWLEY, IN RESPONSE TO THE DEFENDANT,
K&R FISHING ENTERPRISE, INC.'S PETITION FOR EXONERATION
FROM OR LIMITATION OF LIABILITY**

Now comes the respondent, LuAnn Sullivan, as Administratrix of the Estate of Glen E. Crowley, and asserts a claim in the above-captioned matter against K & R Fishing, Enterprises, Inc. pursuant to and in accordance with Federal Rules of Civil Procedure, Supplemental Rule F(5).

More specifically, the respondent, LuAnn Sullivan, as Administratrix of the Estate of Glen E. Crowley asserts the following:

1. The defendant/petitioner, K & R Fishing Enterprises, inc. was, at all material times hereto, the owner of the F/V NORTHERN EDGE.
2. The defendant/petitioner, K & R Fishing Enterprises Inc. was, at all material times hereto, the employer of the respondent's decedent, Glen E. Crowley.
3. On or about December 20, 2004, the respondent's decedent, Glen E. Crowley, while in the course of his employment, was aboard the F/V NORTHERN EDGE. During and in the course of his employment, with the Petitioner, K & R Fishing Enterprises, Inc., the F/V NORTHERN EDGE sunk and the respondent's decedent was lost at sea and caused to die.
4. On or about December 20, 2004, the respondent's decedent was 45 years old. He was earning approximately \$60,000 per year. He was the brother of the respondent, LuAnn Sullivan. The respondent asserts a claim of conscious pain and suffering on behalf of the decedent.
5. The respondent alleges that the petitioner, K & R Fishing Enterprises, Inc. as the owner of the F/V NORTHERN EDGE, and, as the employer of the decedent, was negligent and breached certain warranties in allowing the F/V NORTHERN EDGE to sink. The respondent further alleges that the petitioner, K & R Fishing

Enterprises, Inc., allowed the F/V NORTHERN EDGE to go out to sea, with improper rigging, instability, and other dangerous, defective and unseaworthy conditions. Additionally, the petitioner failed to provide safety drills for proper evacuation of the vessel in case of an emergency. As a result of the petitioner's negligence, the respondent was injured and the respondent's decedent was caused to die.

WHEREFORE, the respondent, LuAnn Sullivan, as Administratrix of the Estate of Glen E. Crowley, hereby asserts a claim for personal injuries and wrongful death in the above-captioned matter against the Petitioner, K & R Fishing Enterprises, Inc.

The Respondent,
LuAnn Sullivan, as Administratrix of the
Estate of Glen E. Crowley
By her attorneys,



Thomas J. Hunt, Esq.
Thomas J. Hunt & Associates
BBO# 244680
18 North Water Street
New Bedford, MA 02740
(508) 994-7300
(508) 984-0755 Facsimile

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail - hand on 3/22/05

